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OFFICE OF PETITIONS

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In re Patent No. 7,545,799 : DECISION ON REQUEST FOR
Tang : RECONSIDERATION OF
Issue Date: June 9, 2009 : PATENT TERM ADJUSTMENT AND
Application No. 09/779,939 : NOTICE OF INTENT TO ISSUE
Filed: February 9, 2001 : CERTIFICATE OF CORRECTION
Atty Docket No. 088245-3380 :

This is a decision on the petition filed on July 22, 2009, which is being treated as a petition under 37 CFR 1.705(d) requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by eight hundred forty-four (844) days.

The petition to correct the patent term adjustment indicated on the above-identified patent is **GRANTED to the extent indicated herein**. The term of the above-identified patent is extended or adjusted by **eight hundred forty-three (843) days**.

As the period from the filing date of the request for continued examination (RCE) to the issue date of the patent is not included in the "B" delay period, the over three year period begins on February 10, 2004, and ends on July 25, 2006, the day before the RCE was filed, and is 897 (not 898) days. See 35 U.S.C. 154(b)(1)(B)(i). As such, the patent term adjustment is 843, not 844 days.

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a

certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentee is given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The Office acknowledges the previous submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

This matter is being referred to the Certificates of Correction Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **eight hundred forty-three (843) days**.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT: 7,545,799 B2

DATED: Jun. 9, 2009

DRAFT

INVENTOR(S): Tang

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 173 days

Delete the phrase "by 173 days" and insert – by 843 days--

Day : Tuesday
Date: 4/20/2010

PALM INTRANET

Time: 15:12:00

PTA Calculations for Application: 09/779939

Application Filing Date:	02/09/2001	PTO Delay (PTO):	908
Issue Date of Patent:	06/09/2009	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	735
Post-Issue Petitions:	0	Total PTA (days):	843
PTO Delay Adjustment:	670		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
105	04/20/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	670		
100.5	05/20/2009	PTA 36 MONTHS	99		
100	06/09/2009	PATENT ISSUE DATE USED IN PTA CALCULATION	10		92
99	04/23/2009	EXPORT TO FINAL DATA CAPTURE			
98	04/22/2009	DISPATCH TO FDC			
97	04/16/2009	MAIL-PETITION DECISION - DISMISSED			
96	04/16/2009	PETITION DECISION - DISMISSED			
95	01/30/2009	PETITION ENTERED			
94	02/03/2009	APPLICATION IS CONSIDERED READY FOR ISSUE			
92	01/30/2009	ISSUE FEE PAYMENT VERIFIED			
91	01/30/2009	ISSUE FEE PAYMENT RECEIVED			
90	11/07/2008	EXPORT TO INITIAL DATA CAPTURE			
89	11/04/2008	MAIL NOTICE OF ALLOWANCE			
88	11/02/2008	ISSUE REVISION COMPLETED			
87	11/02/2008	DOCUMENT VERIFICATION			
84	11/02/2008	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
83	10/27/2008	NOTICE OF ALLOWABILITY			
82	10/08/2008	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
81	10/08/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
80	10/16/2008	DATE FORWARDED TO EXAMINER			
79	10/08/2008	REQUEST FOR CONTINUED EXAMINATION (RCE)			
78	10/16/2008	DISPOSAL FOR A RCE / CPA / R129			

77	10/16/2008	CASE DOCKETED TO EXAMINER IN GAU			
76	10/08/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
75	10/08/2008	WORKFLOW - REQUEST FOR RCE - BEGIN			
74	09/09/2008	FINISHED INITIAL DATA CAPTURE			
73	07/18/2008	EXPORT TO INITIAL DATA CAPTURE			
72	07/14/2008	MAIL EXAMINER'S AMENDMENT			
71	07/14/2008	MAIL NOTICE OF ALLOWANCE			
70	07/10/2008	ISSUE REVISION COMPLETED			
69	07/10/2008	DOCUMENT VERIFICATION			
68	07/10/2008	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
67	07/10/2008	CASE DOCKETED TO EXAMINER IN GAU			
66	07/03/2008	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)			
65	07/10/2008	EXAMINER'S AMENDMENT COMMUNICATION			
64	07/10/2008	NOTICE OF ALLOWABILITY			
63	06/13/2008	DATE FORWARDED TO EXAMINER			
62	06/11/2008	AMENDMENT AFTER FINAL REJECTION			
61	04/17/2008	MAIL FINAL REJECTION (PTOL - 326)			
60	04/14/2008	FINAL REJECTION			
59	03/04/2008	CASE DOCKETED TO EXAMINER IN GAU			
58	02/19/2008	CASE DOCKETED TO EXAMINER IN GAU			
57	02/12/2008	DATE FORWARDED TO EXAMINER			
56	01/16/2008	RESPONSE AFTER NON-FINAL ACTION			
55	01/11/2008	CHANGE IN POWER OF ATTORNEY (MAY INCLUDE ASSOCIATE POA)			
54	01/09/2008	CORRESPONDENCE ADDRESS CHANGE			
53	11/05/2007	MAIL NON-FINAL REJECTION			
52	11/02/2007	NON-FINAL REJECTION			
51	08/22/2007	DATE FORWARDED TO EXAMINER			
50	08/21/2007	RESPONSE AFTER NON-FINAL ACTION		229	43
49	08/21/2007	REQUEST FOR EXTENSION OF TIME - GRANTED			
48	02/21/2007	MAIL NOTICE OF RESTARTED RESPONSE PERIOD			
47	02/21/2007	MAIL EXAMINER INTERVIEW SUMMARY (PTOL - 413)			
46	02/06/2007	EXAMINER INTERVIEW SUMMARY RECORD			

		(PTOL - 413)			
45	02/16/2007	LETTER RESTARTING PERIOD FOR RESPONSE (I.E. LETTER RE: REFERENCES)			
44	02/07/2007	CORRESPONDENCE ADDRESS CHANGE			
43	10/04/2006	MAIL NON-FINAL REJECTION			
42	09/28/2006	NON-FINAL REJECTION			
41	08/04/2006	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
40	07/31/2006	DATE FORWARDED TO EXAMINER			
39	07/26/2006	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
38	07/31/2006	DATE FORWARDED TO EXAMINER			
37	07/26/2006	REQUEST FOR CONTINUED EXAMINATION (RCE)		91	27
36	07/31/2006	DISPOSAL FOR A RCE / CPA / R129			
35	07/26/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
34	07/26/2006	WORKFLOW - REQUEST FOR RCE - BEGIN			
33	06/20/2006	MAIL ADVISORY ACTION (PTOL - 303)			
32	06/12/2006	ADVISORY ACTION (PTOL-303)			
31	06/02/2006	DATE FORWARDED TO EXAMINER			
30	05/26/2006	AMENDMENT AFTER FINAL REJECTION			
29	05/26/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
28	03/21/2006	CASE DOCKETED TO EXAMINER IN GAU			
27	01/26/2006	MAIL FINAL REJECTION (PTOL - 326)			
26	01/23/2006	FINAL REJECTION			
25	12/14/2005	FILE MARKED FOUND			
24	11/10/2005	DATE FORWARDED TO EXAMINER			
23	11/04/2005	RESPONSE AFTER NON-FINAL ACTION		415	16
22	11/04/2005	REQUEST FOR EXTENSION OF TIME - GRANTED			
21	06/04/2005	REQUEST FOR EXTENSION OF TIME - GRANTED			
20	06/09/2005	FILE MARKED LOST			
19	05/05/2005	MAIL NOTICE OF INFORMAL OR NON- RESPONSIVE AMENDMENT			
18	02/18/2005	CORRESPONDENCE ADDRESS CHANGE			
17	02/18/2005	DATE FORWARDED TO EXAMINER			
		INFORMAL OR NON-RESPONSIVE AMENDMENT			

16.1	09/15/2004	AFTER EXAMINER ACTION			
16	09/15/2004	RESPONSE AFTER NON-FINAL ACTION			
15	01/04/2005	FILE MARKED FOUND			
14	12/20/2004	FILE MARKED LOST			
13	09/08/2004	WORKFLOW INCOMING AMENDMENT IFW			
12	06/16/2004	MAIL NON-FINAL REJECTION	799		-1
11	06/14/2004	NON-FINAL REJECTION			
10	05/24/2004	CASE DOCKETED TO EXAMINER IN GAU			
9	08/15/2002	CORRESPONDENCE ADDRESS CHANGE			
8	08/15/2002	CHANGE IN POWER OF ATTORNEY (MAY INCLUDE ASSOCIATE POA)			
7	03/11/2002	CASE DOCKETED TO EXAMINER IN GAU			
6	11/28/2001	CORRESPONDENCE ADDRESS CHANGE			
5	03/29/2001	CASE DOCKETED TO EXAMINER IN GAU			
4	03/14/2001	APPLICATION DISPATCHED FROM OIPE			
3	03/10/2001	CORRESPONDENCE ADDRESS CHANGE			
2	02/28/2001	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	02/09/2001	INITIAL EXAM TEAM NN			

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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